



Washington Update

December 17, 2010

**Register for the Disability Policy Seminar, Feb. 14-16, 2010, Washington, DC
January 11, 2011 deadline for early registration fee and hotel.**

**Arrive in time for NACDD meeting to discuss recommended changes to DD Act on Sunday,
February 13th, 4-6:00 pm at the Grand Hyatt Hotel, 1000 H Street NW, Washington, DC**

Visit NACDD website for link to registration and more information www.nacdd.org

Appropriations

Hope that Councils and federal agencies would not have to continue on FY 2010 funding levels died late on December 16th when a number of Republican Senators who had pledged support for a Senate Omnibus Appropriations bill withdrew their support. If it had been enacted, the Councils would have been funded at \$76.066 million, a \$1 million increase over FY 2010 levels. What is now likely is a short-term Continuing Resolution (CR) at FY 2010 levels until some date in February when the Republicans will control the House and the Democrats will have a weaker majority in the Senate.

In addition to the Councils, many other programs important to people with developmental disabilities would have been better funded under the Senate Omnibus bill than under a CR. For example, the bill had included \$12.3 billion for the administrative expenses of the Social Security Administration (SSA), an increase of \$882 million over last year. This would have allowed SSA to continue to work on eliminating the tragic backlog in disability determinations by the end of fiscal year 2013 while keeping up with an unprecedented level of disability and retirement claims.

The Senate omnibus bill would also have provided \$55 million for activities authorized in the Combating Autism Act, a \$7.102 million increase over the Fiscal 2010 level and the same as the President's request, and \$23.778 million for CDC's autism activities, a \$1.72 million increase over Fiscal 2010, but \$49,000 below the President's request.

Boost for Affordable Housing for People with Disabilities

On December 17th the Senate passed, by unanimous consent, an amendment to the Cranston-Gonzales-National Affordable Housing Act to improve the Section 811 rental assistance program for

housing for people with disabilities. See S. 1481, sponsored by Senator Robert Menendez (D-NJ). Because a similar bill, sponsored by Congressman Christopher Murphy (D-CT) passed the House, there is cause for optimism that the bill will be enacted before this 111th Congress adjourns.

Medicare Doc Fix Serves Patient Access to Physicians

President Obama has signed HR 4994 that will extend for one year the current payments to physicians under Medicare. Without this “doc fix” Medicare physician payments would have been cut by 25%, which would cause many doctors to stop treating Medicare patients, including people with disabilities receiving Social Security disability Insurance benefits.

The increased budget outlay was offset by a controversial change to health care reform that affects consumers who receive tax credits to help them afford health insurance premiums under state health insurance exchanges scheduled to go into effect in 2014. The offset adjusts the repayment provisions required for consumers who are allotted tax credits that need to be repaid due to a misstatement of income or a change in the taxpayer’s income during the year.

Fiscal Commission Report Threatens Social Security Benefits and CLASS Act

The National Commission on Fiscal Responsibility and Reform (“Fiscal Commission”) released a report on December 1st entitled *The Moment of Truth: Report of the National Commission on Fiscal Responsibility and Reform*. See <http://www.fiscalcommission.gov/news/moment-truth-report-national-commission-fiscal-responsibility-and-reform>. The Commission did not achieve the necessary 14 out of 18 votes to formally approve recommendations – which would have forced an up or down vote by Congress.

Among its proposals are many changes to Medicare and Medicaid and cuts to Social Security benefits including increasing over time the normal retirement age to 69.5 and the early retirement age to 64, as well as gradual reductions in both retirement benefits (with an unspecified “hardship exemption”) and cost of living adjustments.

The Fiscal Commission report also recommends repealing or reforming the Community Living Assistance Services and Supports (CLASS) act provisions that disability advocates succeeded in including in the health care reform bill, the Affordable Care Act. When implemented, the CLASS program will enable people to pay premiums, via voluntary payroll deductions, for a long term services insurance program that would not be means-tested and would provide funds for the beneficiary to self-direct services and supports for activities of daily living. The statutory language already requires the program to be solvent over 75 years.

Employment of College Students with Disabilities

The [2011 Workforce Recruitment Program for College Students with Disabilities](#) database is now available to help federal and private-sector employers recruit workers with disabilities. Federal officials can register and search for candidates who meet their hiring needs. Private-sector employers can search the program's database through the [Employer Assistance and Resource Network](#) or by calling 866-327-6669. For more information: http://www.disability.gov/employment/news_%26_events

Accessible Web and other Technology: Opportunity to Be Heard on Department of Justice ADA Regulations

The Department of Justice has held two of three public hearings on four [Advance Notices of Proposed Rulemaking \(ANPRMs\)](#), which seek public comment on the possibility of revising the ADA regulations to address accessible web information and services, movie captioning and video description, accessibility of Next Generation 9-1-1, and accessible equipment and furniture. Published on 7/26/10 at http://www.ada.gov/anprm2010/anprm_nov-jan_2010.htm, the comment period for the ANPRMs closes on January 24, 2011.

The remaining public hearing is **January 10, 2011**, from 9:30 a.m. to 4:00 p.m., PST, at the San Francisco Marriott Marquis, 55 Fourth Street, San Francisco, CA 94103. Entities, organizations, and individuals who wish to present comments **may register in advance** by calling the ADA Information Line at (800) 514-0301 (Voice) or (800) 514-0383 (TTY) at least five business days in advance of the hearing date.

For more information about public policy issues, please contact Peggy Hathaway, Public Policy Manager for NACDD, at phathaway@nacdd.org.